

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 8, James A. Haley Veterans' Hospital
2. **Nature and/or Description of the Action Being Processed:** This action was reviewed to determine its feasibility for competition. The subject services were carefully reviewed prior to the decision to establish a service contract with Rehabilitation Outcomes Consulting, LLC (ROC). Although there are other companies that conduct research support, ROC is the only company with the appropriate resources and personnel who are nationally recognized experts in the field of QoL in Rehabilitation Medicine. This is a request for other than full and open competition for the procurement of consulting services in the development of Quality of Life (QoL) measures specifically for Rehabilitation Medicine patient populations which is crucial to help meet the goals and objectives of a research study funded by VA Health Services Research and Development (HSR & D). These services are requested for the VA HSR & D study Measuring QoL in Veterans with Deployment Related Post Traumatic Stress Disorder (PTSD) Grant #IIR10-169.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Veterans' Health Administration (VHA) requires the expert research consulting services of ROC to support the overall mission of the VHA by developing new technologies and concepts in rehabilitation and improved QoL for Veteran patients with Deployment Related PTSD. This research emphasizes the importance of clinical practice directed toward deployed populations, as a high priority. The research is particularly important in light of the increased emphasis placed by VHA on PTSD. The research focus is relevant to at least four of the fifteen current VHA's strategic goals for FY 2013-2015, including Polytrauma, disabilities, patient safety, and veteran's special healthcare needs. The resulting action will be a firm fixed price contract for service for a base period of six (6) month and two (2) option periods of six (6) months each. The period of performance of the base will be from September 19, 2013 through March 18, 2014. The total price of the contract for the base period and 2 option periods is \$112,806.34. Each option period is subject to availability of funds and will be exercised unilaterally by the CO at the discretion of the Govt.
4. **This service is considered essential by the VA and Rehabilitation Outcomes Consulting, LLC (ROC) has extensive experience and unique expertise in this area.**
 - a. ROC is a Small Business, located at 2232 S. Main St., Suite 190, Ann Arbor, Mi 48103. This company was designed by research consultants with specialized experience in QoL Research with the Veterans Health Administration (VHA).
 - b. The responsibilities of the contractor include, but are not limited to the following:
 1. Transfer of materials and methodology from previously funded HRQOL Patient Reported Outcome Measurement Information System (PROMIS) and Quality of Life in Neurological Disorders (Nuero-QOL) research projects to the Measuring QoL in Veterans with Deployment Related PTSD study.
 2. Provide expertise to participate in expert panels for review of new items and items identified for inclusion from the PROMIS and Neuro-QOL item banks.
 3. Provide input on the development of new items to be written for tool assessing QoL in deployment related PTSD. Review new tool as needed, participating in scheduled conference calls.
 4. Oversee Tampa investigators who will be coding transcripts from the focus groups.
 5. Assist with selection of item from previous research to include in item banks.
 6. Assist with the dissemination activities
 7. The contract employee shall not in any capacity be the Fund Control Point Official for the VA grant funding.

8. The Research Associates are: Research Associate 1: Dr. David Tulsy, PhD and Research Associate 2: Pamela A. Kisala, M.A.

9. The Research Associates (RA) will have access to VA patient sensitive records.

5. Statutory Authority Permitting Other than Full and Open Competition:

- () (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- () (2) Unusual and Compelling Urgency per FAR 6.302-2;
- (x) (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- () (4) International Agreement per FAR 6.302-4
- () (5) Authorized or Required by Statute FAR 6.302-5;
- () (6) National Security per FAR 6.302-6;
- () (7) Public Interest per FAR 6.302-7;

6. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority) Per FAR 6.302-1 (i):

Only one responsible source and no other supplies or services will satisfy agency requirements. Supplies or services may be considered to be available from only one source if the source has submitted an unsolicited research proposal that:

- A. Demonstrates a unique and innovative concept (see definition at 2.101), or, demonstrates a unique capability of the source to provide the particular research services proposed
- B. Offers a concept or services not otherwise available to the Government; and
- C. Does not resemble the substance of a pending competitive acquisition.

Rehabilitation Outcomes Consulting LLC (ROC) is one of the leading test development research consulting firms in the country and is internationally work in the development of cognitive/intelligence tests and patient reported outcomes measurement tools. ROC's staff offers a unique capability to provide the particular research services proposed because they are the only company that has first-hand knowledge and experience working on this particular research study. They are the backbone of this this particular study. The experts that make up this company were instrumental in the initiation of the project with the VHA. Therefore, no other services will satisfy agency requirements. This body of research is not otherwise available to the Government. This does not resemble the substance of a pending competitive acquisition. It is in the best interest of the Government to obtain research services from ROC LLC with regards to their dedicated researchers that are highly educated and have knowledge, skills and expertise to perform all of the services required by the James A. Haley Veterans' Hospital.

7. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

ROC is composed of nationally recognized experts in the field of QoL in Rehabilitation Medicine. These experts have completed multiple studies in Rehabilitation population similar to the current study including at the Tampa and Bronx VA. ROC was established specifically to conduct these types of studies due to their specialized expertise in this area. They have the direct inside knowledge necessary to continue or maintain the studies, due to the fact that ROC research consultants are responsible for the progress made in this particular study up to this point. Soliciting competition would not be in the best interest of the Government.

8. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The total price to the Government for the subject research services is \$112,806.34 for a base period of six (6) month and two (2) option periods of six (6) months each. The annual services include research and development relating to the creation, testing, and fielding of a QoL instrument designed to meet the standards of the PROMIS and Neuro/QoL. To meet this requirement ROC will provide two (2) experts. Research Associate 1 will dedicate 12 hours per week during the 12 week item development process and 4 hours per week during the remainder of the contract year (288 total Hours). The rate per hour for Research Associate 1 is \$95.65 including salary, benefits 35% which is comparable to a GS 15-10. The duties of Research Associate 1 is equivalent to a "Research and Development Director". The salary range listed on *salary.com* is \$119,470.00 to \$271,880 per year. Research Associate 2 is secondary in charge of leading the study. Research Associate 2 will dedicate 40 hours per week during the items development phase of the study and 4 hours per week during the remainder of the contract (Total 624 hours). The rate per hour for Research Associate 2 is \$68.89 including benefits 35% which is comparable to a GS 13-10. In addition an amount not to exceed \$5,000 will be included

to cover travel reimbursement to two meetings in Tampa during the year and 15% for overhead expenses. The estimated prices have been reviewed and determined by the Contracting Officer as fair and reasonable for the complexity and uniqueness of this type of service.

9. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was**

Not Conducted: Market Research was conducted. A search of MANTA identified 120 Medical Research Companies in the US. Additionally, Federal Business Opportunities www.fbo.gov identified 7 Special Notices for sole source acquisitions for research related projects under NAICS Code 541712. However, none of the awardees have the specific knowledge and experience necessary to meet the requirements of this acquisition.

10. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**

Experts who provide services on behalf of ROC recently provided the same services that meet all regulatory requirements to JAHVA COE for a project developing QOL measures for different Rehabilitation population: *Veterans with mild to moderate traumatic brain injury (TBI)*. The proposed contract services will utilize knowledge learned in the previous study and further explore QoL/rehabilitation of Veterans with PTSD. Health Services Research & development Service (HSR&D) received a Grant specifically for these particular experts to continue this study. The grant runs through September 2015.

11. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** N/A

12. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:**

For purposes of continuity in the analysis no actions are planned because the nature of the research requires a consultant with specific expertise and experience. JAHVA COE will continue to evaluate the market availability of comparable services and may replace/revise the requirement in the future if needed.

13. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.



Marco Starr

COTR

HSR&D/RR&D Center of Excellence

Date

07/10/13

14. **Approvals in accordance with FAR 6.304**

- a. **Contracting Officer's Certification:** (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Keith L. Adams


Name

Contracting Officer

Date

4 Sep 2013

- b. **Product Line Supervisor (PLS):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Name

Contracting Supervisor

Date

9/4/2013

- c. **DNCM/NCM:** (SAT to \$500,000) I certify the justification meets requirements for other than full and open competition.

Mitchell Thomas
Network Contract Manager
VISN 8

Date